



Department of Defense DIRECTIVE

AD-A270 276



October 13, 1992
NUMBER 1542.6

DA&M

SUBJECT: Department of Defense Dependents Schools (DoDDS)

- References:
- (a) DoD Directive 1342.6, subject as above, October 17, 1978 (hereby canceled)
 - (b) Title 10, United States Code
 - (c) Public Law 95-561, "The Defense Dependents' Education Act of 1978," November 1, 1978, as amended
 - (d) Public Law 101-476, "Individuals with Disabilities Education Act (IDEA)," October 30, 1990, as amended by Public Law 102-119, "Individuals with Disabilities Education Act Amendments of 1991," October 7, 1991
 - (e) through (p) see enclosure 1

A. REISSUANCE AND PURPOSE

This Directive:

1. Reissues reference (a) to update the organization, responsibilities, functions, relationships, and authorities for the administration of the DoDDS, which operates schools in overseas areas.
2. Under reference (b), establishes, pursuant to the authority vested in the Secretary of Defense, the DoDDS, with the mission, organization, responsibilities, functions, relationships, and authorities as prescribed herein.
3. Under references (c) and (d), establishes the Advisory Council on Dependents' Education (ACDE) and the Overseas Dependents' Schools National Advisory Panel on the Education of Disabled Dependents (NAP); establishes the Dependents Education Council (DEC); and, under reference (e), establishes such other Educational Advisory Committees or Councils (EACs) as are appropriate.
4. Continues to authorize publication of DoD 1342.6-M (reference (f)), in accordance with DoD 5025.1-M (reference (g)).

B. APPLICABILITY AND SCOPE

This Directive applies to:

1. The Office of the Secretary of Defense; the Military Departments; the Chairman of the Joint Chiefs of Staff and the Joint Staff; the Unified and Specified Commands; the Office of the Inspector General, Department of

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Defense; the Defense Agencies; and the DoD Field Activities (hereafter referred to collectively as "the DoD Components"). The term "Military Services," as used herein, refers to the Army, the Navy, the Air Force, the Marine Corps, and the Coast Guard.

2. Members appointed to serve on the ACDE, the NAP, the DEC, and other EACs established under authority of Pub. L. No. 95-561 (reference (c)) and DoD Instruction 1342.15 (reference (e)).

C. MISSION

The mission of the DoDDS is to provide, pursuant to reference (c) and DoD Directive 1342.13 (reference (h)), a free public education of high quality from pre-kindergarten through grade twelve for eligible minor dependents of U.S. military and civilian personnel of the Department of Defense stationed overseas; and, under Pub. L. No. 101-476 and DoD Instruction 1342.12 (references (d) and (i)), to provide a free appropriate education for children with disabilities, ages 3 through 21; and, under Pub. L. No. 96-70 (reference (j)), to provide a community college program for eligible students in Panama.

1. The DoDDS shall also provide programs designed to meet the special needs of:

- a. The disabled.
- b. Individuals in need of compensatory education.
- c. Individuals with an interest in vocational education.
- d. Gifted and talented individuals.
- e. Individuals of limited English-speaking ability.
- f. A developmental preschool program for eligible dependents who are of preschool age.

2. The DoDDS may also provide, to the extent funds are available:

- a. Extracurricular and co-curricular programs and activities to enrich the school environment and experience.
- b. Student travel to compete in interscholastic programs and competitions.

D. ORGANIZATION

1. The DoDDS is established as an organizational element of the DoD Education Activity (DoDEA), a DoD Field Activity operating under the direction, authority, and control of the Assistant Secretary of Defense (Force Management and Personnel) (ASD(FM&P)). It shall consist of:

- a. A Director.

b. The Office of Dependents' Education, which is the headquarters element of the DoDDS.

c. A subordinate organizational structure and such subordinate activities as shall be established by the Director, DoDDS, within resources authorized by the ASD(FM&P).

2. An ACDE shall be established, in accordance with Pub. L. No. 95-561 and DoD Directive 5105.4 (references (c) and (k)), to advise the ASD(FM&P) and the Director, DoDDS, on improvements to achieve and maintain a high quality public educational program.

3. A DEC shall be established to provide a consultative relationship between the ASD(FM&P) and the Director, DoDDS, and the Commanders of Unified Combatant Commands and major Service Commands to consider questions of educational policy, and matters related to facilities, logistics, and administrative support provided to the DoDDS by the Military Services.

4. An Overseas Dependents' Schools National Advisory Panel on the Education of Disabled Dependents shall be established to advise the Director, DoDDS, regarding the needs and requirements for the education of disabled children, as well as the rules and standards that should be developed and maintained for the operation of the system.

5. Other EACs shall be established to ensure effective communication between school administrators at all levels of administration within the DoDDS and the total school community. The operation of the EACs shall be in accordance with DoD Directive 1342.15 (reference (e)).

E. RESPONSIBILITIES AND FUNCTIONS

1. The Director, DoD Dependents Schools, shall perform all duties necessary to organize, manage, fund, direct, and supervise the complete operation of the DoDDS. These duties include, but are not limited to, the following duties:

a. Serve as the principal advisor and staff assistant to the ASD(FM&P) on matters relating to overseas dependents education.

b. As required for the DoDDS to perform its mission effectively, develop policies and systems; conduct research, analysis, and evaluation; and issue guidance and regulations.

c. Keep abreast of developments in the elementary, secondary, and higher education field to ensure appropriate assimilation of new programs and technologies in the overseas dependents schools.

d. Enter into agreements with or through the DoD Components and other U.S. Government entities, and form such agreements as may be required for the effective performance of the DoDDS program.

e. Establish subordinate offices and schools necessary to fulfill the mission when practical and/or cost-beneficial.

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f. Provide recommendations and support to the ASD(FM&P) in the development and justification of school construction, modification, and/or repair projects included in annual military construction programs.

g. Develop, publish, interpret, and maintain:

(1) DoD 1342.6-M (reference (f)) to implement this Directive and other policy decisions of the Secretary of Defense.

(2) Eligibility policy and procedures for enrollment in an overseas dependents school.

(3) Policy and procedures for the operation and management of the ACDE, the DEC, the Overseas Dependents' Schools National Advisory Panel on the Education of Disabled Dependents, the installation and local advisory committees, and other EACs.

(4) Policy and procedures for the delivery of education and related services for children with disabilities.

h. Engage in collective bargaining and enter into collective bargaining agreements.

i. Ensure that the DoDDS are operated in accordance with governing law and regulation and with appropriate internal controls.

j. Enter into agreements with such domestic and foreign national school entities as are necessary to ensure the delivery of educational services under Pub. L. No. 95-561 (reference (c)) when no overseas dependents school operated by the Department of Defense is determined by DoDDS to be reasonably available.

k. Accept gratuitous services offered in support of DoDDS programs and mission.

l. Ensure timely and accurate preparation of budget execution reports and full compliance with accounting requirements in accordance with DoD 7220.9-M reference (1).

m. Establish and operate a nonappropriated fund for the support of student activities that are not supported from appropriated funds.

n. Establish membership in, and maintain liaison with, such professional educational associations or organizations as are necessary to maintain currency in educational developments and technologies, ensure the proper accreditation of the schools, and promote the advancement of educational goals and objectives.

o. Serve as the Executive Secretary of the DEC.

p. Serve as the Executive Secretary of the ACDE in accordance with Pub. L. No. 95-561 (reference (c)).

q. Perform other functions as may be assigned by the ASD(FM&P).

2. The Assistant Secretary of Defense (Force Management and Personnel) shall:

a. Recommend policies and resources for the administration of the DoDDS to the Secretary of Defense.

b. Exercise direction, authority, and control over the Director, DoDDS, through the Director of Education, in accordance with DoD Directive 1342.20 (reference (m)).

3. The Advisory Council on Dependents' Education shall meet periodically to:

a. Recommend to the Director, DoDDS, general policies for operation of the defense dependents' education system with respect to curriculum selection, administration, and operation of the system.

b. Facilitate the exchange of information between the Director, DoDDS, and other Federal Agencies regarding educational practices and programs that are relevant to the DoDDS.

c. Perform such other tasks as may be assigned by the ASD(FM&P).

4. The Dependents Education Council shall meet periodically to:

a. Consider questions of policy relating to the DoDDS.

b. Facilitate exchange of information between the DoDDS and the Military Services.

c. Provide advice to the ASD(FM&P) on matters pertaining to the DoDDS.

5. The Overseas Dependents' Schools National Advisory Panel on the Education of Disabled Dependents shall meet periodically to:

a. Recommend to the Director, DoDDS, general policies for operation of the defense dependents' education system with respect to education of individuals with disabilities.

b. Facilitate the exchange of information between the Director, DoDDS, and officials of other Federal Agencies regarding practices and programs that are relevant to education of individuals with disabilities.

c. Perform such other tasks as may be assigned by the ASD(FM&P).

6. The Comptroller of the Department of Defense shall provide technical advice and assistance to the Director, DoDDS, on budget and financial management activities of the DoDDS.

7. The General Counsel of the Department of Defense shall provide legal advice on the implementation of this Directive.

8. The Secretaries of the Military Departments, upon request, shall provide such facilities, logistics, and administrative support as are required for the effective operation of DoDDS activities and the operation of the DEC and other educational advisory committees and councils, including travel and per diem expenses of participant members. Reimbursements for goods and services shall be made in accordance with DoD Instruction 4000.19 and DoD Directive 1400.16 (references (n) and (o)). However, reimbursement shall not be required for expendable medical supplies and support provided to the DoDDS, which will be furnished and funded by the supporting activity.

F. RELATIONSHIPS

1. In the performance of assigned duties, the Director, DoDDS, shall:

a. Exchange information and advice and coordinate actions with DoD Components having collateral or related functions.

b. Use established facilities and services in the Department of Defense and other Government Agencies, whenever practicable, to achieve maximum efficiency and economy of operations.

c. Consult and coordinate with other governmental and nongovernmental agencies on matters related to the mission of the DoDDS.

2. All DoD Components shall coordinate with the Director, DoDDS, as appropriate, on matters affecting the mission and operation of the DoDDS.

G. AUTHORITIES

The Director, DoDDS, is specifically delegated authority to:

1. Execute the responsibilities and functions described in section E., above.

2. Obtain reports, information, advice, and assistance, consistent with the policies and criteria of DoD Directive 7750.5 (reference (p)), as deemed necessary.

3. Communicate directly with appropriate representatives of the DoD Components and other governmental and nongovernmental agencies on matters related to the DoDDS.

4. Exercise the operational and administrative authorities in enclosure 2 when delegated by the ASD(FM&P).

H. ADMINISTRATION

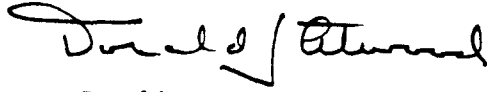
1. The Director, DoDDS, shall be a civilian selected by the ASD(FM&P).

2. The DoDDS shall be authorized such personnel, facilities, funds, and other resources as the Secretary of Defense deems necessary.

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I. EFFECTIVE DATE

This Directive is effective immediately.



Donald J. Atwood
Deputy Secretary of Defense

Enclosures - 2

1. References
2. Delegations of Authority

REFERENCES, continued

- (e) DoD Instruction 1342.15, "Educational Advisory Committees and Councils," March 27, 1987
- (f) DoD 1342.6-M, "Administrative and Logistic Responsibilities for DoD Dependents Schools," October 1978, authorized by this Directive
- (g) DoD 5025.1-M, "DoD Directives System Procedures," December 1990, authorized by DoD Directive 5025.1, December 23, 1988
- (h) DoD Directive 1342.13, "Eligibility Requirements for Education of Minor Dependents in Overseas Areas," July 8, 1982
- (i) DoD Instruction 1342.12, "Education of Handicapped Children in the DoD Dependents Schools," December 17, 1981
- (j) Public Law 96-70, "Panama Canal Act of 1979," September 27, 1979
- (k) DoD Directive 5105.4, "DoD Federal Advisory Committee Management Program," September 5, 1989
- (l) DoD 7220.9-M, "Department of Defense Accounting Manual," October 1983, authorized by DoD Instruction 7220.9, October 22, 1981
- (m) DoD Directive 1342.20, "Department of Defense Education Activity," October 13, 1992
- (n) DoD Instruction 4000.19, "Interservice, Interdepartmental, and Interagency Support," April 15, 1992
- (o) DoD Directive 1400.16, "Inter-departmental Civilian Personnel Administration Support," October 30, 1970
- (p) DoD Directive 7750.5, "Management and Control of Information Requirements," August 7, 1986

DELEGATIONS OF AUTHORITY

Pursuant to the authority vested in the Secretary of Defense, and subject to the direction, authority, and control of the Secretary of Defense, and in accordance with DoD policies, Directives, and Instructions, the Assistant Secretary of Defense (Force Management and Personnel) (ASD(FM&P)), or in the absence of the ASD(FM&P), the person acting for the ASD(FM&P), is hereby delegated authority as required in the administration and operation of the DoDDS to:

1. Exercise the powers vested in the Secretary of Defense by 5 U.S.C. 301, 302, and 3101 on the employment, direction, and general administration of DoDDS civilian personnel.
2. Fix rates of pay for wage-rate employees exempted from the Classification Act of 1949 by 5 U.S.C. 5102 on the basis of rates established under the Coordinated Federal Wage System. In fixing such rates, the ASD(FM&P) shall follow the wage schedule established by the DoD Wage Fixing Authority.
3. Establish advisory committees and employ temporary or intermittent experts or consultants, as approved by the Secretary of Defense, for the performance of DoDDS functions consistent with 10 U.S.C. 173; 5 U.S.C. 3109(b); DoD Directive 5105.4, "DoD Federal Advisory Committee Management Program," September 5, 1989; and the agreement between the Department of Defense and the Office of Personnel Management (OPM) on employment of experts and consultants, June 21, 1977.
4. Administer oaths of office incident to entrance into the Executive Branch of the Federal Government or any other oath required by law in connection with employment therein, in accordance with 5 U.S.C. 2903, and designate in writing, as may be necessary, officers and employees of the DoDDS to perform this function.
5. Establish a DoDDS Incentive Awards Board and authorize cash awards to, and incur necessary expenses for, the honorary recognition of civilian employees of the Government whose suggestions, inventions, superior accomplishments, or other personal efforts, including special acts or services, benefit or affect the DoDDS or its subordinate activities, in accordance with 5 U.S.C. 4503, applicable OPM regulations, and DoD Directive 5120.15, "Authority for Approval of Cash Honorary Awards for DoD Personnel," August 13, 1985.
6. In accordance with 5 U.S.C. 7532; Executive Orders 10450, 12333, and 12356; and DoD Directive 5200.2, "DoD Personnel Security Program," May 6, 1992; as appropriate:
 - a. Designate any position in the DoDDS as a "sensitive" position.
 - b. Authorize, in case of an emergency, the appointment of a person to a sensitive position in the DoDDS for a limited period of time and for whom a full field investigation or other appropriate investigation, including the National Agency Check, has not been completed.

c. Authorize the suspension, but not terminate the services, of a DoDDS employee in the interest of national security.

7. Authorize and approve:

a. Travel for DoDDS civilian employees in accordance with Volume II, Joint Travel Regulations.

b. Invitational travel to non-DoD personnel whose consultative, advisory, or other highly specialized technical services are required in a capacity that is directly related to, or in connection with, DoDDS activities, in accordance with Volume II, Joint Travel Regulations.

c. Overtime work for DoDDS civilian employees in accordance with Chapter 55, Subpart V, of 5 U.S.C. and applicable OPM regulations.

8. Develop, establish, and maintain an active and continuing Records Management Program pursuant to 44 U.S.C. 3102 and DoD Directive 5015.2, "Records Management Program," March 22, 1991.

9. Authorize the publication of advertisements, notices, or proposals in newspapers, magazines, or other public periodicals as required for the effective administration and operation of the DoDDS, consistent with 44 U.S.C. 3702.

10. Establish and maintain, for the functions assigned, an appropriate publications system for the promulgation of common supply and service regulations, instructions, and reference documents, and changes thereto, pursuant to the policies and procedures prescribed in DoD 5025.1-M, "DoD Directives System Procedures," December 1990.

11. Enter into support and service agreements with the Military Department's, other DoD Components, or other Government Agencies, as required, for the effective performance of DoDDS functions and responsibilities.

12. Enter into and administer contracts, directly or through a Military Department, a DoD contract administration services component, or other Federal Agency, as appropriate, for supplies, equipment, and services required to accomplish the mission of the DoDDS. To the extent that any law or Executive order specifically limits the exercise of such authority to persons at the Secretarial level of a Military Department, such authority shall be exercised by the appropriate Under Secretary or Assistant Secretary of Defense.

13. Approve waivers of indebtedness for DoDDS employees in accordance with Title 5, U.S.C. 5584.

The ASD(FM&P) may redelegate these authorities, as appropriate, and in writing, except as otherwise provided by law or regulation.

These delegations of authority are effective immediately.

SUPPLEMENTARY

INFORMATION

DEPARTMENT OF DEFENSE

DIRECTIVES SYSTEM TRANSMITTAL

NUMBER	DATE	DISTRIBUTION
1342.6, Change 1	August 5, 1994	1000 Series

ATTACHMENTS

None

EXARATA ADA 370376

INSTRUCTIONS FOR RECIPIENTS

The following pen changes to DoD Directive 1342.6, "Department of Defense Dependents Schools (DoDDS)," October 13, 1992, are authorized:

PEN CHANGES

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After paragraph 10, insert new paragraph "11. In accordance with Section 2605 of 10 U.S.C. 155, accept, hold, administer, and spend gifts (including any gift of an interest in real property) made on the condition that it be used in connection with the operation or administration of DoDDS, as established in this Directive, and exercise the other authorities of the Secretary of Defense under that section."

Renumber paragraphs "11 through 13" as "12 through 14"

EFFECTIVE DATE

The above changes are effective immediately.

James L Elmer
JAMES L. ELMER
Director
Correspondence and Directives

WHEN PRESCRIBED ACTION HAS BEEN TAKEN, THIS TRANSMITTAL SHOULD BE FILED WITH THE BASIC DOCUMENT